MONTANA LEGISLATIVE HISTORY

Chapter 246 1999

Bill H _____ S 71 Original bill & history ___C

H. Committee on Transportation

Hearing Date(s) 3-3 ✓C

_____ ___C

_____ ___C

_____ ___C

Date Out • _____ ___C

S. Committee on Highways & Trans

Hearing Date(s) 1-21 ✓C

_____ ___C

_____ ___C

_____ ___C

Did this bill originate in an interim committee? ___Yes ___No

Committee _____ Report _____

LEGISLATIVE HISTORIES

The 1997 Montana Legislature dramatically changed the nature of legislative minutes. This altered format continues with the 1999 legislative minutes. The minutes from House committees are extremely sparse in content, offering no substantive information from which to glean legislative intent. The Senate committees' minutes are fuller in content.

Exhibits, which include written statements, attendent information, roll call votes, roll call attendance, a list of those from the public who were present, and specific action taken on legislative bills, will be available only through the Historical Society Archives, 444-4774, and from a CD-ROM produced by the Legislative Services Division, 444-3064.

Just as in the 1997 legislative session, the 1999 House and Senate committee hearings were recorded. For information on accessing the tapes, or purchasing them, contact the Archives, 444-4774.

If you have concerns over the format of these legislative minutes, it is suggested that you contact your state legislators.

4/20 Chapter Number Assigned
Chapter Number 343
Effective Date: 7/01/1999 - All Sections

SB 70 Introduced by Stang *LC0072 Drafter: McClure*

Clarify Veterans' Burial Laws;...

By Request of Joint Interim Subcommittee on Veterans' Needs

12/17	Introduced		
1/04	1st Reading		
1/04	Referred to State Administration		
1/08	Hearing		
1/08	Committee Executive Action--Bill Passed	5	0
1/09	Committee Report--Bill Passed		
1/11	2nd Reading Passed	50	0
1/12	3rd Reading Passed	50	0
	Transmitted to House		
1/13	Referred to State Administration		
3/02	Hearing		
3/11	Committee Executive Action--Bill Concurred	17	0
3/12	Committee Report--Bill Concurred		
3/20	2nd Reading Concurred	94	5
3/22	3rd Reading Concurred	93	5
	Returned to Senate		
3/23	Sent to Enrolling		
3/23	Returned from Enrolling		
3/25	Signed by President		
3/26	Signed by Speaker		
3/29	Transmitted to Governor		
3/30	Signed by Governor		
3/31	Chapter Number Assigned		
	Chapter Number 210		
	Effective Date: 3/30/1999 - All Sections		

SB 71 Introduced by Nelson *LC0392 Drafter: Fox*

Exempt Vehicles Owned by Certain Health Care Professionals Who Practice in Rural, Medically Underserved Areas from Foreign Vehicle Registration;...

12/18	Introduced		
1/04	1st Reading		
1/04	Referred to Highways and Transportation		
1/04	Fiscal Note Requested		
1/05	Fiscal Note Received		
1/05	Fiscal Note Signed		
1/06	Fiscal Note Printed		
1/21	Hearing		
1/22	Committee Executive Action--Bill Passed	11	0
1/22	Committee Report--Bill Passed		
1/23	2nd Reading Passed	46	0
1/25	3rd Reading Passed	50	0
	Transmitted to House		

2/16	Referred to Transportation		
3/03	Hearing		
3/15	Committee Executive Action--Bill Concurred as Amended	13	4
3/15	Committee Report--Bill Concurred as Amended		
3/20	2nd Reading Concurred	79	18
3/22	3rd Reading Concurred	84	16
	Returned to Senate with Amendments		
3/25	2nd Reading House Amendments Concurred	50	0
3/26	3rd Reading Passed as Amended by House	49	0
3/26	Sent to Enrolling		
3/29	Returned from Enrolling		
3/29	Signed by President		
3/29	Signed by Speaker		
3/30	Transmitted to Governor		
4/05	Signed by Governor		
4/06	Chapter Number Assigned		
	Chapter Number 246		
	Effective Date: 7/01/1999 - All Sections		

SB 72 Introduced by Keenan *LC0193 Drafter: K. Williams*

Generally Revise the Water Quality, Public Water Supply, and Water and Wastewater Treatment Operators Laws;...

By Request of Department of Environmental Quality

12/18	Introduced		
1/04	1st Reading		
1/04	Referred to Natural Resources		
1/07	Fiscal Note Requested		
1/11	Hearing		
1/12	Fiscal Note Received		
1/13	Fiscal Note Signed		
1/14	Committee Executive Action--Bill Passed as Amended	10	0
1/14	Committee Report--Bill Passed as Amended		
1/14	Fiscal Note Printed		
1/16	2nd Reading Passed	45	2
1/18	3rd Reading Passed	40	9
	Transmitted to House		
1/19	Referred to Natural Resources		
3/05	Hearing		
3/09	Committee Executive Action--Bill Concurred as Amended	15	4
3/10	Committee Report--Bill Concurred as Amended		
3/13	2nd Reading Concurred	88	8
3/15	3rd Reading Concurred	95	5
	Returned to Senate with Amendments		
3/17	2nd Reading House Amendments Concurred	49	0
3/18	3rd Reading Passed as Amended by House	48	0
3/18	Sent to Enrolling		
3/19	Returned from Enrolling		
3/22	Signed by President		
3/23	Signed by Speaker		
3/23	Transmitted to Governor		
3/26	Signed by Governor		

SB 71 SPONSOR: Nelson, Linda SHORT TITLE: Exemption on foreign vehicle registration for certain health professional
REFERRED ON: 01/04/1999 HEARD ON: 01/21/1999
EXECUTIVE ACTION: 01/22/1999 Bill Passed -- VOTE: 11 - 0
FINAL DISPOSITION 04/06/1999 Chapter Number Assigned

SB 78 SPONSOR: Stang, Spook SHORT TITLE: Urban speed limits
REFERRED ON: 01/04/1999 HEARD ON: 01/14/1999
EXECUTIVE ACTION: 01/22/1999 Bill Not Passed -- VOTE: 4 - 7
FINAL DISPOSITION 01/25/1999 (S) 2nd Reading Indefinitely Postponed; Vote: 31 - 16

SB 89 SPONSOR: Stang, Spook SHORT TITLE: Signing for visitor information centers
REFERRED ON: 01/04/1999 HEARD ON: 01/21/1999
EXECUTIVE ACTION: 01/29/1999 Bill Passed as Amended -- VOTE: 11 - 0
FINAL DISPOSITION 04/22/1999 Chapter Number Assigned

SB 94 SPONSOR: Nelson, Linda SHORT TITLE: Revise driver's licensing laws
BY REQUEST OF: Department Of Justice
REFERRED ON: 01/04/1999 HEARD ON: 01/14/1999
EXECUTIVE ACTION: 01/22/1999 Bill Passed as Amended -- VOTE: 11 - 0
FINAL DISPOSITION 04/16/1999 Chapter Number Assigned

SB 113 SPONSOR: Mahlum, Dale SHORT TITLE: Generally revise motor vehicle dealer laws
BY REQUEST OF: Department Of Justice
REFERRED ON: 01/04/1999 HEARD ON: 01/26/1999
EXECUTIVE ACTION: 01/29/1999 Bill Passed as Amended -- VOTE: 10 - 1
FINAL DISPOSITION 04/22/1999 Chapter Number Assigned

SB 122 SPONSOR: Beck, Tom SHORT TITLE: Make permanent the third party commercial driver testing program
BY REQUEST OF: Department Of Justice
REFERRED ON: 01/04/1999 HEARD ON: 01/14/1999
EXECUTIVE ACTION: 01/15/1999 Bill Passed -- VOTE: 11 - 0
FINAL DISPOSITION 04/14/1999 Chapter Number Assigned

MINUTES

MONTANA SENATE
56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Call to Order: By **CHAIRMAN ARNIE MOHL**, on January 21, 1999 at 3:00 P.M., in Room 410 Capitol.

ROLL CALL

Members Present:

Sen. Arnie Mohl, Chairman (R)
Sen. Ric Holden, Vice Chairman (R)
Sen. Mack Cole (R)
Sen. Bob DePratu (R)
Sen. John Hertel (R)
Sen. Reiny Jabs (R)
Sen. Greg Jergeson (D)
Sen. Glenn Roush (D)
Sen. Debbie Shea (D)
Sen. Spook Stang (D)
Sen. Daryl Toews (R)

Members Excused: None.

Members Absent: None.

Staff Present: Connie Erickson, Legislative Branch
Phoebe Olson, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 71, 1/21/1999; SB 89, 1/21/1999; SB 133, 1/21/1999
Executive Action: SB 71; SB 35; SB 78; SB 94

HEARING ON SB 71

Sponsor: **SENATOR LINDA NELSON, SD 49, Medicine Lake**

Proponents: **John Flink, MHA**
Kip Smith, Montana Primary Care Association
Beda Lovitt, Montana Medical Association
Brenda Nordlund, Department of Justice

Opponents: **None**

Opening Statement by Sponsor:

SENATOR LINDA NELSON, SD 49, Medicine Lake, said SB 71 is a bill for the rural border towns in Montana. The bill will exempt the vehicles owned by health care professionals who practice in rural medically under served areas for licensing their vehicles in Montana. The bill shouldn't affect many people or be a big impact on the county revenue.

Proponents' Testimony:

{Tape : 1; Side : A; Approx. Time Counter : 3:06}

John Flink, MHA, entered a letter from Walter Busch, **EXHIBIT(1)**. The association supports SB 71.

Kip Smith, Montana Primary Care Association, said the association supports SB 71. This is a big issue for small rural communities in under served areas particularly those along the border. The fiscal notes indicate there is insignificant in terms to the dollars and cents to the state.

Beda Lovitt, Montana Medical Association, supports SB 71.

Brenda Nordlund, Department of Justice, concurred the Department of Justice is willing to pay the expenses that are associated with producing the forms and providing the decals. This would take a slight bit of reprogramming.

Opponents' Testimony: None.

{Tape : 1; Side : A; Approx. Time Counter : 3:10}

Questions from Committee Members and Responses:

SENATOR JERGESON asked where will the decal be located. **Brenda Nordlund** responded the decal will be in the lower right-hand corner. It will differentiate from foreign registration decals that are in the lower left hand corner. **SENATOR JERGESON** asked if the sheriff would know to check the lower right-hand corner of the windshield or will it mean he would have to get out of the car. **Brenda Nordlund** commented the sheriff may have to get out of the car and walk around depending on how the car is situated but it would be part of the regular training procedures for the highway patrol and law enforcement. The department would notify everyone of the change in the law. **SENATOR JERGESON** asked if a sheriff wrote a ticket and didn't notice the decal would the decal holder be able to get the ticket removed. **Brenda Nordlund** replied yes that would be proof of exemption.

SENATOR JABS asked if the situation is the same in the western and southern part of the state. He asked if this was going to be a big change. **SENATOR NELSON** replied the fiscal note didn't show a big change.

SENATOR HERTEL asked if she had any idea how this is going to affect her county fiscally. **SENATOR NELSON** replied Plentywood currently has one RN so it will not be a big impact.

Closing by Sponsor:

{Tape : 1; Side : A; Approx. Time Counter : 3:12}

SENATOR NELSON stated she would appreciate a favorable vote on SB 71.

HEARING ON SB 89

Sponsor: **SENATOR STANG, SD 36, St. Regis,**

Proponents: **Mathew Cohn, Department of Commerce**
Marv Dye, Department of Transportation
Carl Kochman, Tourism Advisory Council
Amy Sullivan, Montana Tourism Coalition
Carl Schweitzer, Bozeman/Kalispell Chamber
Stuart Doggett, Montana Inn Keepers Association

responded the section that the Senator was referring to say the Commission can go back and adjust speed zones. He referred to the paragraph ending at 309. They have never interpreted the language to be broad enough to allow them to set a speed limit on a section of road. **SENATOR STANG** asked if the department would be willing to work with the committee to get that language. **Mr. Dye** replied the Chairman of the Commission testified he would be willing to accept that responsibility on those roads after a speed study was done.

SENATOR HERTEL commented SB 133 does not refer to any specific road for a lower limit as SB 149 did. He asked what the department concern is, a good venture or not a good venture. **Mr. Dye** responded the department has sections of Highway 93 that they are improving where higher speed would be appropriate and there are sections not suitable to drive over 60mph. But that is the committee's decision to make. **SENATOR HERTEL** asked are there other roads besides Highway 93 that would also qualify. **Mr. Dye** commented yes for lower speeds such as Highway 16 and Highway 191. There are numbers of roads that would qualify for a lower speed limit.

Closing by Sponsor:

{Tape : 1; Side : B; Approx. Time Counter : 4:14}

SENATOR MOHL stated the department has the jurisdiction on the roads in question. The Attorney General agrees with the bill on where they can set it. Highway 93 was set from one end of the state to the other and not by sections which creates speed traps. Once the legislators set the speed it is set until they remove it. If the department sets the speed and the condition change, they can remove the speed limit. He said this is the maximum speed limit not the minimum. Nobody has to drive the speed limit.
{Tape : 1; Side : B; Approx. Time Counter : 4:18; Comments : Tape Stopped}

EXECUTIVE ACTION ON SB 71

{Tape : 1; Side : B; Approx. Time Counter : 4:24}

Motion: **SEN. STANG** moved that **SB 71 DO PASS.**

Discussion:

SENATOR HOLDEN expressed the thing that concerned him is in the Title on line 4, certain health care professionals. If they start to exempt out different segments, the committee is going to have to think of where this is going. He said in his area there are a lot of contractors and a lot of different professions that cross the boarder every day. The committee could see a flood of special interest groups coming into Montana.

SENATOR STANG commented Senator Holden is not serviced by medical people who come into those areas. He believes this is important to keep health care people in medically scare areas.

SENATOR JABS asked what was the sticker fee, if it was $3.

SENATOR HOLDEN asked about the fee. **Brenda Nordlund** commented it is not clear that the $2 fee would apply. The fee refers to those who are paying the taxes and getting the decal that goes on the windshield. Subsection 2 applies only to those who are tax exempt.

SENATOR HOLDEN commented his counties are where this legislation is going to impact. **SENATOR TOEWS** responded the medical thing is appropriate.

{Tape : 2; Side : A; Approx. Time Counter : 4:31}

SENATOR TOEWS continued there will be exclusions because plumbers are under worked.

SENATOR HERTEL asked Senator Holden if they could narrow down to certain health care professions. **SENATOR HOLDEN** replied he will vote for the bill but hopes somebody has a backbone next session.

SENATOR MOHL agreed with Senator Holden. He stated right now he doesn't think they enforce it enough.

Vote: Motion **carried unanimously. 11-0.**

{Tape : 2; Side : A; Approx. Time Counter : 4:33; Comments : Discussion on SB 89}

SB 10 SPONSOR: Mohl, Arnie SHORT TITLE: Revising the laws relating to slow-moving vehicles on 4-lane highways
BY REQUEST OF: Department Of Transportation
REFERRED ON: 01/12/1999 HEARD ON: 01/18/1999
EXECUTIVE ACTION: 01/19/1999 Bill Concurred -- VOTE: 18 - 0
FINAL DISPOSITION 04/23/1999 Chapter Number Assigned

SB 13 SPONSOR: McNutt, Walter SHORT TITLE: Extend electronic lien filing on motor vehicles
REFERRED ON: 02/16/1999
FINAL DISPOSITION 04/07/1999 Chapter Number Assigned

SB 47 SPONSOR: Swysgood, Chuck SHORT TITLE: Transfer commercial vehicle inspection program from justice to transportation
REFERRED ON: 02/16/1999 HEARD ON: 03/05/1999
TABLED ON: 03/15/1999
FINAL DISPOSITION 04/22/1999 (H) Died in Standing Committee

SB 71 SPONSOR: Nelson, Linda SHORT TITLE: Exemption on foreign vehicle registration for certain health professional
REFERRED ON: 02/16/1999 HEARD ON: 03/03/1999
EXECUTIVE ACTION: 03/15/1999 Bill Concurred as Amended -- VOTE: 13 - 4
FINAL DISPOSITION 04/06/1999 Chapter Number Assigned

SB 89 SPONSOR: Stang, Spook SHORT TITLE: Signing for visitor information centers
REFERRED ON: 02/16/1999 HEARD ON: 03/03/1999
EXECUTIVE ACTION: 03/22/1999 Bill Concurred -- VOTE: 10 - 7
FINAL DISPOSITION 04/22/1999 Chapter Number Assigned

SB 94 SPONSOR: Nelson, Linda SHORT TITLE: Revise driver's licensing laws
BY REQUEST OF: Department Of Justice
REFERRED ON: 02/16/1999 HEARD ON: 03/03/1999
EXECUTIVE ACTION: 03/23/1999 Bill Concurred as Amended -- VOTE: 12 - 5
FINAL DISPOSITION 04/16/1999 Chapter Number Assigned

MINUTES

MONTANA HOUSE OF REPRESENTATIVES
56th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TRANSPORTATION

Call to Order: By **CHAIRMAN SHIELL ANDERSON**, on March 3, 1999 at 3:00 P.M., in Room 420 Capitol.

ROLL CALL

Members Present:

Rep. Shiell Anderson, Chairman (R)
Rep. Gary Beck, Vice Chairman (D)
Rep. Rick Jore, Vice Chairman (R)
Rep. Darrel Adams (R)
Rep. Joe Barnett (R)
Rep. Sylvia Bookout-Reinicke (R)
Rep. Matt Brainard (R)
Rep. Paul Clark (D)
Rep. Robert C. Clark (R)
Rep. Steven Gallus (D)
Rep. George Golie (D)
Rep. Marian Hanson (R)
Rep. Donald L. Hedges (R)
Rep. Carol C. Juneau (D)
Rep. Gary Matthews (D)
Rep. Frank Smith (D)
Rep. Roger Somerville (R)
Rep. Cliff Trexler (R)

Members Excused: None.

Members Absent: None.

Staff Present: Leanne Kurtz, Legislative Branch
Mary Lou Schmitz, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: SB 71; SB 89; SB 94; 2/23/99

Executive Action: None

Vice Chair Rick Jore conducted the meeting at this point.

HEARING ON SB 89

Sponsor: Senator Barry "Spook" Stang, SD 36.
{Tape : 1; Side : A; Approx. Time Counter : 0.1 - 5.3}

Proponents: Jim Currie, Department of Transportation.
{Tape : 1; Side : A; Approx. Time Counter : 5.3 - 5.6}

Matthew Cohn, Administrator, Travel Montana, Department of Commerce.
{Tape : 1; Side : A; Approx. Time Counter : 5.6 - 8}

Amy Sullivan, Montana Tourism Coalition.
{Tape : 1; Side : A; Approx. Time Counter : 8 - 8.3}

Stuart Doggett, Montana Innkeepers' Association.
{Tape : 1; Side : A; Approx. Time Counter : 8.3 - 8.8}

Opponents: None

Questions from Committee Members and Responses: Reps. Jore Juneau, Bookout-Reinicke, Hanson, Beck, Somerville, Paul Clark to Senator Stang, Jim Currie, Matthew Cohn, Amy Sullivan.
{Tape : 1; Side : A; Approx. Time Counter : 8.8 - 23.7}

Closing by Sponsor: Senator Stang closed the Hearing on SB 89.
{Tape : 1; Side : A; Approx. Time Counter : 23.7 - 24.6}

HEARING ON SB 71

Sponsor: Senator Linda Nelson, SD 49
{Tape : 1; Side : A; Approx. Time Counter : 24.6 - 27.5}

Proponents: Walter Busch, Administrator, Roosevelt Memorial Medical Center, Culbertson. **EXHIBIT(1)**
{Tape : 1; Side : A; Approx. Time Counter : 27.5 - 30.1}
{Tape : 1; Side : B; Approx. Time Counter : 0.1 - 1.1}

Kip Smith, Montana Primary Care Association.
{Tape : 1; Side : B; Approx. Time Counter : 1.1 - 2.2}

John Flink, Montana Hospital Association.
{Tape : 1; Side : B; Approx. Time Counter : 2.2 - 3.3}

Dean Roberts, Administrator, Motor Vehicle Division, Department of Justice.
{Tape : 1; Side : B; Approx. Time Counter : 3.3 - 4.7}

Opponents: None

Questions from Committee Members and Responses: Reps. Bookout-Reinicke, Golie, Barnett, Brainard, Juneau, Smith, Paul Clark, Jore, Hedges, to Senator Nelson and Dean Roberts.
{Tape : 1; Side : B; Approx. Time Counter : 4.7 - 18.9}

Closing by Sponsor: Senator Nelson closed the Hearing on SB 71.
{Tape : 1; Side : B; Approx. Time Counter : 18.9 - 19.8}

HEARING ON SB 94

Sponsor: Senator Linda Nelson, SD 49.
{Tape : 1; Side : B; Approx. Time Counter : 19.8 - 23.2}

Proponents: Brenda Nordlund, Department of Justice. **EXHIBIT(2).**
{Tape : 1; Side : B; Approx. Time Counter : 23.2 - 28}
{Tape : 2; Side : A; Approx. Time Counter : 0.1 - 7.7}

Opponents: None

Questions from Committee Members and Responses: Reps. Brainard, Trexler, Beck, Robert Clark, Somerville, Jore to Brenda Nordlund and Darrell Beckstrom, Records and Driver Control Bureau Chief, Motor Vehicle Department.
{Tape : 2; Side : A; Approx. Time Counter : 7.7 - 28.2}

Closing by Sponsor: Senator Nelson closed the Hearing on SB 94.
{Tape : 2; Side : A; Approx. Time Counter : 28.2 - 29.6}

Announcements and Adjournment.
{Tape : 2; Side : B; Approx. Time Counter : 0.1 - 0.6}